

In the United States District Court  
for the Southern District of Texas,  
Houston Division

Mark Flora,

*Plaintiff,*

v.

Transocean Drilling (USA),  
Inc., et al,

*Defendants.*

Civil Action No:  
4:19-cv-02328  
Jury Requested

**Joint Motion for Continuance and Amended  
Rule 16 Scheduling Order**

To the Honorable Judge David Hittner:

Plaintiff, Mark Flora, and Defendants, Grand Isle Shipyard, LLC, Gulf Logistics Operating, Inc.; Gulf Logistics, LLC, and LLOG Exploration Offshore, LLC (erroneously named as LLOG Holdings, LLC); file this Joint Motion for Continuance and Amended Rule 16 Scheduling Order and would respectfully show as follows:

On September 24, 2019, U.S. Magistrate Judge Peter Bray entered the Rule 16 Scheduling Order in this Matter. *See* Doc. No. 18. On October 25, 2019, Plaintiff amended his petition to allege claims against LLOG Exploration Offshore, LLC (erroneously named as LLOG Holdings, LLC)(“LLOG”), which made its appearance on

December 17, 2019. *See* Doc. Nos. 25 and 28.

Because of the late addition of LLOG, some of the deadlines in the previous scheduling order have become unfeasible. Additionally, Plaintiff's counsel has indicated that his client will be working out of the country for an extended amount of time, beginning in February, and likely would be unavailable for his deposition until after the current discovery period ends. Despite the Parties' best efforts, the discovery will not be completed in sufficient time to enable proper preparation for trial of this matter in the September/October 2020 trial term.

This is the first continuance requested by the Parties, who have met and conferred and propose the following deadlines and new trial term:

- **April 28, 2020:** PLAINTIFF shall designate EXPERT WITNESSES. Designation shall be in writing to opponent. Expert reports shall be served within 30 days of the designation.
- **May 29, 2020:** DEFENDANT shall designate EXPERT WITNESSES. Designation shall be in writing to opponent. Expert reports shall be served within 30 days of the designation.

- **June 30, 2020:** DISCOVERY shall be completed by this date.
- **August 28, 2020:** MOTION CUT-OFF. No motion, including motions to exclude or limit expert testimony under Fed. R. Evid. 702, shall be filed after this date except for good cause shown. See LR 7.
- **November 30, 2020:** The JOINT PRETRIAL ORDER shall be filed on or before this date notwithstanding that a motion for continuance may be pending. Parties shall exchange all trial exhibits on or before this date notwithstanding that a motion for continuance may be pending. NO LATE EXCHANGES OF EXHIBITS WILL BE PERMITTED. All motions in limine shall be submitted with the pretrial order. Failure to file timely a joint pretrial order, motions in limine, or exchange all trial exhibits may result in this case being dismissed or other sanctions imposed, in accordance with all applicable rules.
- **December 2020/January 2021:** TRIAL TERM. Cases will be set for trial at a docket call, conducted prior to the trial term or by order of the Court. Your position on the docket will be announced at that time.

## **Prayer**

The Parties ask this Court to continue the trial to the December 2020/January 2021 trial term, to enter an amended Rule 16 Scheduling Order based on that date, and to grant any further relief, either in equity or at law, to which they are justly entitled to receive. This Continuance is not sought for the purposes of delay, but only so that justice may be done.

Respectfully submitted,

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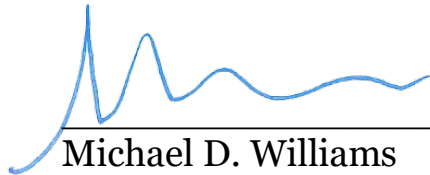
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*Attorneys for Defendant, LLOG  
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(erroneously named as LLOG  
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### **Certificate of Service**

I hereby certify that on January 29 2020, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF filing system. Notice of this filing will be sent to counsel for all parties by operation of the Court's electronic filing system and facsimile.



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Michael D. Williams